

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371		Docket Number: 10537/291	
		International Application No.: PCT/EP03/11617	
Application Number 10/536,562	International Filing Date October 21, 2003	Examiner To be assigned	Art Unit To be assigned
Invention Title CUP HOLDER		Inventor(s) Klaus AROLD	

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

S I R:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed September 2, 2005, Applicant submits herewith a fully executed Declaration (3 pages), in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. Applicant also encloses a copy of the Notification as required.

1. The U.S. Patent and Trademark Office is authorized to charge the \$130.00 (large entity) fee to cover the surcharge for late filing of the Declaration and Power of Attorney to Deposit Account No. 11-0600. Should any additional fees be required, the U.S. Patent and Trademark Office is authorized to charge them to Deposit Account No. 11-0600.

2. A copy of this paper is enclosed for charging purposes.

Dated: *October 4, 2005*

By:

Richard L. Mayer

Richard L. Mayer (Reg. No. 22,490) *RN 42,149*
KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NO. 26646
(C: Ral A. Ulrich)

10/12/2005 LLANDGRA 00000042 110600 10536562
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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Transmittal Letter		Docket Number: 10537/291	
Application Number 10/536,562	International Filing Date October 21, 2003	Examiner Not yet assigned	Art Unit Not yet assigned
International Application Number PCT/EP03/11617			
Invention Title CUP HOLDER		Inventor(s) Klaus AROLD	

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: Oct. 4, 2005 Reg. No. 42,194

Signature: _____

Clifford A. Ulrich

S I R:

1. Please find enclosed the following documents filed in connection with the above-referenced application:
 - a. Appointment of Power of Attorney by Assignees of Entire Interest.
2. No fee is believed necessary however, the Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:
 - A. Any additional filing fees required under 37 C.F.R. § 1.16;
 - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
 - C. Any additional document supply fees under 37 C.F.R. § 1.19;
 - D. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
 - E. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

Dated: Oct. 4, 2005

By: _____

Richard L. Mayer
Reg. No. 22,490

KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NO. 26646

Richard L. Mayer
Reg. No. 22,490
(Clifford A. Ulrich)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/536,562	Klaus Arold	10537/291

INTERNATIONAL APPLICATION NO.
PCT/EP03/11617

I.A. FILING DATE	PRIORITY DATE
10/21/2003	11/28/2002

26646
 KENYON & KENYON
 ONE BROADWAY
 NEW YORK, NY 10004

CONFIRMATION NO. 9483
 371 FORMALITIES LETTER



OC000000016932215

Date Mailed: 09/02/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/26/2005
- English Translation of the IA filed on 05/26/2005
- Copy of the International Search Report filed on 05/26/2005
- Preliminary Amendments filed on 05/26/2005
- Information Disclosure Statements filed on 05/26/2005
- Oath or Declaration filed on 05/26/2005
- Request for Immediate Examination filed on 05/26/2005
- U.S. Basic National Fees filed on 05/26/2005
- Priority Documents filed on 05/26/2005
- Specification filed on 05/26/2005
- Claims filed on 05/26/2005
- Abstracts filed on 05/26/2005
- Drawings filed on 05/26/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,562	PCT/EP03/11617	10537/291